

Message Text

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ACTION AF-08

INFO OCT-01 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00 PM-04 H-01

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 /079 W

-----111651Z 009797 /43

R 111352Z FEB 77

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC 6809

INFO AMCONSUL CAPE TOWN

AMEMBASSY DAR ES SALAAM

AMCONSUL DURBAN

AMEMBASSY GABORONE

AMEMBASSY LUSAKA

AMCONSUL JOHANNESBURG

AMEMBASSY LONDON

AMEMBASSY MAPUTO

USMISSION USUN NEW YORK

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CAPE TOWN FOR EMBASSY

E.O. 11652: N/A

TAGS: PFOR, WAS

SUBJECT: NAMIBIA: TURNHALLE STUMBLES ON THORNS

REF: CAPE TOWN 164, CAPE TOWN 165,

BEGIN UNCLASSIFIED

1. PRESS REPORTS FEBRUARY 10 AND 11, WHILE NOTING CHAIRMAN DIRK MUDGE'S ASSURANCES THAT TURNHALLE WILL COMPLETE RECOMMENDATIONS ON INTERIM GOVERNMENT SHORTLY, INDICATE SOME ISSUES ARE STILL DIFFICULT TO RESOLVE, NOTABLY LEGAL ENFORCEMENT OF BILL OF RIGHTS, AND PROPERTY RIGHTS.

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2. CONSERVATIVE WHITE DELEGATE EBEN VAN ZIJL REPORTEDLY BROUGHT CONSTITUTIONAL COMMITTEE TO A BOIL ONCE MORE BY SUGGESTING FEB 10 THAT BILL OF RIGHTS BE TAKEN ONLY AS A GUIDELINE. FRONT PAGE RAND DAILY MAIL ARTICLE FEB 11 NOTING VAN ZIJL'S TALENT FOR AROUSING BLACK AND BROWN IRE, SAYS LATTER GROUPS STRONGLY OPPOSE ANYTHING SHORT OF FULLY ENFORCEABLE RIGHTS. ANYTHING LESS WOULD MAKE BILL OF RIGHTS

"MERE WINDOW DRESSING." LEGAL ADVISORS WIECHERS AND HENNING REPORTEDLY SUPPORT ENFORCEABLE BILL OF RIGHTS, WHILE OTHER ADVISORS APPEAR TO FAVOR WHITE POSITION. MUDGE SAID DETAILS COULD BE WORKED OUT BUT BLACK AND BROWN DELEGATES ARE NOT SO SURE, ACCORDING TO MAIL.

3. STAR REPORTED FEB 10 THAT PROPERTY OWNERSHIP AND OCCUPATION REMAINS UNSOLVED. SPECIAL COMMITTEE FAILED TO REACH CONSENSUS ON IDEA THAT ANYONE SHOULD BE ABLE TO BUY OR RENT ANYWHERE. FOR MOMENT, BUSINESS AND INDUSTRIAL AREAS ARE TO BE OPEN TO ALL, BUT RESIDENTIAL AREAS REMAIN SEGREGATED, THOUGH BLACKS WILL BE GIVEN RIGHT FOR FIRST TIME TO BUY LAND IN SOME URBAN AREAS. DURING INTERIM GOVERNMENT PERIOD, IT IS PROPOSED TO ALLOW WHITE TOWN COUNCILS TO CONTRIVE TO FUNCTION, AND TO ELECT FOR FIRST TIME TOWN COUNCILS FOR BLACK AND BROWN AREAS. WHERE ETHNIC COUNCILS ARE LOCATED CLOSE TOGETHER, AN "UMBRELLA" COUNCIL BASED ON EQUAL ETHNIC REPRESENTATION WILL BE FORMED. WINDHOEK AND WALVIS BAY, HOWEVER, WILL BE DECLARED "METROPOLITAN AREAS" AND PLACED UNDER DIRECT SUPERVISION OF MULTI-RACIAL INTERIM GOVERNMENT. END UNCLASSIFIED.

BEGIN LIMITED OFFICIAL USE. INFORMED SOURCES IN WINDHOEK SAY THAT PROPERTY ISSUE WILL EASILY FALL IN LINE IF CONSTITUTIONAL COURT IS GIVEN POWER TO ENFORCE BILL OF RIGHTS. THE ENFORCEMENT ISSUE IS SEEN AS CRITICAL, SINCE IT ENDS ALL FORMS OF APARTHEID FOR ALL PRACTICAL PURPOSES. CONSERVATIVE WHITE DELEGATES INTEND TO MAKE A FIGHT ON THIS ISSUE. AS APKALL-BACK, THEY HAVE INDICATED THE LIMITED OFFICIAL USE

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INTENTION TO CALL FOR A REFERENDUM IN THE WHITE COMMUNITY TO CONSIDER ALL PROPOSALS OF THE TURNHALLE. IT IS NOT CLEAR WHETHER THE SWA NATIONAL PARTY HEAD COMMITTEE, SCHEDULED TO MEET SHORTLY, WOULD CALL FOR A VOTE ON THE PROPOSALS OF THE PRESENT CONSTITUTIONAL COMMITTEE, OR ONLY AFTER FULL TURNHALLE HAS ACTED ON COMMITTEE RECOMMENDATIONS, BUT BEFORE RECOMMENDATIONS HAVE GONE TO SOUTH AFRICAN PARLIAMENT. BLACKS AND BROWNS VIEW ANY SUCH REFERENDUM AS, IN EFFECT, A THREAT OF WHITE VETO OVER ALL THAT HAS BEEN ACCOMPLISHED.

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CAPE TOWN FOR EMBASSY

4. IN ADDITION TO ABOVE PROBLEM, TWO OTHERS ARE PROVING DIFFICULT. OVAMBOS HAVE BEEN PROMISED TWO MINISTERIAL POSITIONS, OF WHICH ONE WILL ALMOST CERTAINLY GO TO PRESENT CHIEF MINISTER CORNELIUS NDJOBA. THERE IS BRISK LOBBYING FOR THE SECOND, AMONG CANDIDATES BEING COMMISSIONER FOR INDIGENOUS PEOPLES JANNIE DE WET, AND FORMER SWAPO MAN NOW SWAPO OPPONENT MBRUMBA KERINA. THE GROUND RULES WOULD PERMIT EITHER TO BE CHOSEN FOR THE POST. KERINA IS SAID TO BE FIGHTING HARD FOR PROPOSITION THAT PRIME MINISTER, OR CHAIRMAN OF COUNCIL OF MINISTERS, SHOULD ALSO BE BLACK. IT HAS GENERALLY BEEN ASSUMED THAT DIRK MUDGE WOULD BE MOST LIKELY PRIME MINISTER, BUT WHITE DELEGATION RECOMMENDED THAT NO SUCH POST BE ESTABLISHED, BUT RATHER A CHAIRMAN BE ELECTED

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FROM AMONG THE MINISTERS WHO WOULD HAVE ONLY LIMITED POWERS. THE QUESTION OF POWERS AND TITLE FOR THE "CHIEF MINISTER" REMAINS AS THE OTHER MAJOR UNRESOLVED ISSUE.

5. WINDHOEK SOURCES SAY THAT MBRUMBA KERINA HAS BECOME MORE AND MORE ACTIVE IN LOBBYING FOR A TOP POSITION IN THE SWA/NAMIBIA GOVERNMENT. HE HAS BEEN APPOINTED AS INFORMATION DIRECTOR FOR PROSWA, THE PRIVATE-BASED GROUP WHICH HAS BEGUN TO CARRY

FORWARD A BROAD INTERNAL AND EXTERNAL PROGRAM TO INFORM ALL
ABOUT DEVELOPMENTS IN NAMIBIA. HE IS SEEKING APPOINTMENT AS
THE SECOND OVAMBO MINISTER, AND INTERESTINGLY ENOUGH SEEMS
TO HAVE EARNED THE CONFIDENCE OF CONSERVATIVE WHITE NP LEADER
A.H. DUPLESSIS, AND SOME OTHER WHIT CONSERVATIVES. GIVEN
THE OLD RIVALRIES BETWEEN DE WET, COMMISSIONERS IN OVAMBOLAND
AND THE SWA ADMINISTRATION, KERINA MAY BE A MORE VIABLE
OPPONENT TO DE WET THAN MIGHT SEEM AT FIRST GLANCE.
INFORMED OBSERVERS BELIEVE THE REAL JOSTLING FOR POSITION
IS JUST BEGINNING.

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